

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7808

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CHESTER GRIFFITHS,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Senior District Judge. (1:06-cr-00388-JFM-1)

Submitted: January 14, 2016

Decided: January 20, 2016

Before AGEE, WYNN, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Chester C. Griffiths, Appellant Pro Se. Rod J. Rosenstein,
United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM

Chester Griffiths appeals the district court's order denying his motion for a sentence reduction under 18 U.S.C. § 3582(c)(2) (2012) pursuant to Guidelines Amendment 782. For the reasons that follow, we affirm.

A district court is authorized to reduce a defendant's sentence of imprisonment under § 3582(c)(2) only if the defendant's sentence was "based on a sentencing range that has subsequently been lowered by the Sentencing Commission" through a retroactively applicable Guidelines amendment. 18 U.S.C. § 3582(c)(2); see U.S. Sentencing Guidelines Manual § 1B1.10(a)(1) (2006). As the court determined at sentencing, Griffiths' Guidelines range was 120 months' imprisonment because the Guidelines range established by his total offense level and criminal history category was lower than the statutory mandatory minimum applicable to his offense. See 21 U.S.C. §§ 841(b)(1)(B), 851 (2012); USSG § 5G1.1(b); USSG ch. 5, pt. A (sentencing table). Amendment 782 did not lower Griffiths' mandatory minimum sentence, and his Guidelines range remains 120 months. See United States v. Black, 737 F.3d 280, 286-87 (4th Cir. 2013). Because Griffiths is ineligible for a sentence reduction under § 3582(c)(2), we find no abuse of discretion in the court's denial of Griffiths' motion. See United States v. Stewart, 595 F.3d 197, 200 (4th Cir. 2010) (standard of review).

Accordingly, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED